

Article - Alcoholic Beverages

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§4-1107. IN EFFECT

// EFFECTIVE UNTIL JUNE 30, 2023 PER CHAPTERS 140 AND 141 OF 2021 //

(a) (1) This section applies only in a jurisdiction in which the local licensing board has adopted regulations to authorize the sale or delivery of alcoholic beverages for off-premises consumption in accordance with this section.

(2) In considering whether to adopt regulations under this section, a local licensing board shall weigh the need to promote the economic recovery of different categories of small businesses in the wake of the COVID-19 pandemic and the need to protect public health and welfare.

(b) (1) This subsection applies only to a license that authorizes the sale of alcoholic beverages for on-premises consumption only at a restaurant, bar, or tavern.

(2) A license holder under this subsection may sell any alcoholic beverages authorized under its license, including, if authorized, mixed drinks or cocktails in sealed or closed containers for off-premises consumption or delivery if:

(i) the alcoholic beverage is purchased along with prepared food other than prepackaged snacks;

(ii) the individual purchasing the alcoholic beverage:

1. is at least 21 years of age;

2. provides valid identification as proof of age; and

3. if the sale is for delivery, provides any documentation that the local licensing board requires;

(iii) the license holder has registered and received written authorization from the local liquor licensing board to sell alcoholic beverages authorized under its license for off-premises consumption or delivery;

(iv) each alcoholic beverage sold for off-premises consumption or delivery is:

1. provided in the manufacturer's original sealed container or in a container closed with a cap, cork, seal, or lid with no holes for straws or sipping; and

2. sold or delivered not later than 11 p.m.;

(v) the delivery of an alcoholic beverage is made from the licensed premises to the individual purchasing the alcoholic beverage by the license holder or the license holder's employee, who is at least 21 years old and certified in an alcohol awareness program; and

(vi) the alcoholic beverage is not delivered to:

1. another premises licensed to sell alcoholic beverages; or

2. an address located outside of the licensed jurisdiction.

(c) (1) This subsection applies only to a license that authorizes the sale of alcoholic beverages for on-premises and off-premises consumption at a restaurant, bar, or tavern.

(2) A license holder under this subsection may obtain a permit from the local licensing board that authorizes the holder to sell, if authorized under the holder's license, mixed drinks or cocktails in sealed or closed containers for off-premises consumption or delivery if:

(i) the mixed drink or cocktail is purchased along with prepared food other than prepackaged snacks;

(ii) the individual purchasing the mixed drink or cocktail:

1. is at least 21 years of age;

2. provides valid identification as proof of age; and

3. if the sale is for delivery, provides any documentation that the local licensing board requires;

(iii) each mixed drink or cocktail sold for off-premises consumption or delivery is:

1. provided in the manufacturer's original sealed container or in a container closed with a cap, cork, seal, or lid with no holes for straws or sipping; and

2. sold or delivered not later than 11 p.m.;

(iv) the delivery of an alcoholic beverage is made from the licensed premises to the individual purchasing the alcoholic beverage by the license holder or the license holder's employee, who is at least 21 years old and certified in an alcohol awareness program; and

(v) the mixed drink or cocktail is not delivered to:

1. another premises licensed to sell alcoholic beverages; or

2. an address located outside of the licensed jurisdiction.

(d) A local licensing board:

(1) may not charge a license holder an additional fee for selling or delivering alcoholic beverages in accordance with this section; and

(2) may limit the quantity of alcoholic beverages that may be sold or delivered under this section to an individual in a single transaction.

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